

SENATE BILL 2303
By Holcomb

AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 6, relative to workers' compensation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 6, is amended by adding the following as a new section to be appropriately designated:

Section _____. For cases arising on and after July 1, 1996, in case of a dispute over or failure to agree upon compensation under the Workers' Compensation Law between the employer and employee or the dependents of the employee, either party may submit the entire matter for determination to the commissioner of labor who shall schedule a contested case hearing before an administrative law judge under Title 4, Chapter 5, Part 3. The administrative law judge is vested with the authority to hear and determine the facts and the issues and to issue a final order.

SECTION 2. Tennessee Code Annotated, Section 50-6-225, is amended by deleting subsections (a), (b), (c), and (d) in their entirety.

SECTION 3. Tennessee Code Annotated, Section 50-6-225(e), is amended by deleting subdivisions (1) and (2) and by substituting instead the following:

(e) (1) Any party to the proceedings in the chancery court may, if dissatisfied or aggrieved by the judgment or decree of that court, appeal to the supreme court, where the cause shall be heard and determined as provided in Tennessee Rules of Appellate Procedure.

(2) Review of findings of fact by the chancery court shall be on the basis of the standard set forth in Section 4-5-322.

SECTION 4. The Tennessee Code Commission is requested to change references to courts or courts of competent jurisdiction and any action before a court to references to administrative law judges and contested case proceedings before an administrative law judge in order to effectuate the transfer of responsibility for hearing and deciding disputes in workers' compensation cases from judicial courts to administrative law judges in the following sections of Tennessee Code Annotated as appropriate: Sections 50-6-112, 50-6-204, 50-6-206, 50-6-207, 50-6-208, 50-6-210, 50-6-212, 50-6-221, 50-6-223, 50-6-226, 50-6-227, 50-6-229, 50-6-230, 50-6-232, 50-6-234, 50-6-235, 50-6-238, 50-6-239, 50-6-240, 50-6-241, 50-6-242, 50-6-405, 50-6-406, 50-6-410, and 50-6-413.

SECTION 5. This act shall take effect July 1, 1996, the public welfare requiring it.